

Attorney Docket No.: 145934.00001-P1246US00  
Patent Application No.: 09/820,659

### **REMARKS**

In the Office action Claims 1 to 45 stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as Claiming the same invention of co-pending patent application serial numbers – 09/820,660, 09/820,613, 09/820,661, 09/820,662. The Applicant respectfully requests this provisional rejection be held in abeyance until Allowance of this patent application.

### **BRIEF REVIEW OF THE CLAIMED INVENTION**

The claimed invention is a system for performing a full text search of an archive of documents, Fig. 14. The system receives a query from a user. The query may be a term, taxonomy, category, sub-category, a sub-sub-category, free text or a combination thereof. The query is formulated with respect to the current state of the present search. As an example, if the user enters the keyword “neurology” the query is formulated such that the current taxonomy is taken into consideration i.e., “location” of the neurology. The system determines the appropriate categories or sub-categories to search through to locate the documents that match. As an example, one possible category is “physicians”. The system has narrowed the number of possible hits by discarding those documents that do not conform to the selected category. It should be noted that the categories or sub-categories are determined using an organized list such as a B-tree, another document archive or from an inverted index. The system checks the cache to see if any documents are there from a previous search. If the query is not in the cache, the query is broadcast to a plurality of parallel processors to operate on a selected portion of the query or search selected portions of the inverted index. The system receives the number of “hits” on the query. The system compiles the number of hits per category and presents the results to the user

i.e., the categories are listed along with the number of hits per individual category. The user may, if desired, continue the search or review the contents of the full text document search of the archived documents.

### **THE CITED PRIMARY REFERENCE**

#### **The Wical Patent**

The US Patent Number 5,940,821 issued to Wical does not disclose a full-text search of an archive of documents. Rather, the Wical patent discloses a method of solving problems associated with word-based search and retrieval systems (i.e., full-text search) where search results are highly dependant upon the exact words chosen for the query, Col. 1, Line 50. The Wical patent seeks to solve this problem by utilizing a concept knowledge base where queries do not identify specific responses to a query, but identify potential existence of a document by displaying associated categories and themes ,Col. 5, Line 20 and not search results.

The Wical Patent describes how the invention bridges the gap between the user's view of a description of the information sought (e.g., the search query) and the organization and classification of information in the search and retrieval system, Col. 5 Line 36. The Wical patent helps the user find information by showing the user how the search term maps to the underlying classification system. The Wical patent does not promote a full-text search of the documents. It is noted that there are no illustrations in the Wical patent where actual search results are returned. Only categories that tell the user where he may find what he is looking for. This is a fundamentally different approach then the claimed invention takes to search and retrieval.

**COMPARISON OF THE WICAL PATENT TO THE CLAIMED INVENTION**

The claimed invention involves organizing actual search results into the existing categorizations in the database. By actual, it is meant those documents in the repository that actually contain the search term that is entered by the user. In other words, the claimed invention is a full-text search technology where users can launch queries and find the actual documents that contain that word or phrase. The claimed invention relates to the ability of the technology to then organize the search results into multiple hierarchical taxonomies. The idea and notions around full-text search are explained and assumed in the patent application. These ideas are expressly described repeatedly throughout the application (See paragraphs 10, 12, 14, 16, 17, 18, 19, 41, 43, 47, 49, 50, 51, 94, 95, 130, 133, 142, 209).

The categories that are presented in the claimed invention are derived strictly from the hierarchy and the compiled counts are based on the categories of the documents that had full-text search matches of the search keyword, paragraph 50 and 51 and return categories that are associated with the remaining documents and indicates how many documents exist under each category.

**CONCLUSION**

In the Office Action Claims 1 to 45 stand rejected under 35 USC 103(a) as being unpatentable over US Patent Number 5,940,821 to Wical in view of US Patent Number Number 6,484,177 to Van Huben. The independent Claims 1, 13 and 25 have been amended to recite a full-text search of the document archive and produce a compiled list of documents that actually contain the words delineated in the search query. The Wical and Van Huben patent do not

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contain this limitation. In fact, the Wical patent teaches away from the claimed invention by stating the contents of the query and subsequently the response from the word based search and retrieval system is highly dependent upon how the user expresses the query term. Consequently, it is desirable to construct a search and retrieval system that is not dependent upon the exact words chosen in the query, Col. 1, Line 50 to 56 of the Wical patent.

In view of the foregoing Amendment to the Claims and associated remarks, Applicant respectfully requests the Examiner pass this case to issue. If, in the opinion of the Examiner, a telephone conference would expedite the issuance of this application, the Examiner is invited to call the undersigned Attorney.

Respectfully submitted,  
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